the caution is refused. *Rex* v. *Tate* [1908] 2 K. B. 680. It is well settled in the federal courts that there can be a conviction without corroboration, though it is usual to caution juries in reference to such testimony. *Harrington* v. *United States* (C. C. A. 1920) 267 Fed. 97; *Caminetti* v. *United States* (1916) 242 U. S. 470, 37 Sup. Ct. 192. Where, as in the instant case, such caution is given, the defendant is safeguarded. To insure such proper protection it might be well to adopt the present English view.

EVIDENCE—UNLAWFUL SEIZURE—FOURTH AMENDMENT.—Papers of the defendant in a criminal prosecution by the federal government, were unlawfully seized by a private corporation and turned over to the prosecuting attorney without the latter's knowledge of their illegal seizure. *Held,* Mr. Justice Brandeis and Mr. Justice Holmes dissenting, the papers were admissible as evidence against the defendant since the government did not participate in the unlawful seizure. *Burdeau* v. *McDowell* (1921) 41 Sup. Ct. 574.

Evidence obtained by the unlawful seizure of federal officers may not be used against the accused where prompt application for the return of the property is made. *Silverthorne Lumber Co.* v. *United States* (1920) 251 U. S. 385, 40 Sup. Ct. 182; see (1921) 21 COLUMBIA LAW REV. 291. The state rules are contrary. *Williams* v. *State* (1897) 100 Ga. 511, 28 S. E. 624; see 4 Wigmore, *Evidence* (1st ed. 1904) § 2183 and cases cited; (1921) 21 COLUMBIA LAW REV. 193. *A fortiori* where the wrongful seizure is by a private individual, the states would admit the evidence. *Gindrat* v. *The People* (1891) 138 Ill. 103, 27 N. E. 1085. The federal rule, barring as evidence property unlawfully seized by federal officers, by protecting the privacy of the home and business saves the constitutional provisions from emasculation. See (1921) 21 COLUMBIA LAW REV. 193. The instant case, in contradistinction to the *Silverthorne* case, encourages the invasion of the rights protected by the Fourth Amendment. There is but slight distinction between an invasion of these rights by federal officers and an invasion by private individuals. In neither case is the evidence obtained under governmental sanction, since both the official and the private individual are personally liable for their unwarranted trespass. See *State* v. *Griswold* (1896) 67 Conn. 290, 305, 34 Atl. 1046. Thus the distinction made in the instant case seems unsound in theory.

FEDERAL COURTS—PROCEDURE—STATE LAW AS RULE OF DECISION.—The plaintiff sent an intrastate telegram upon which the defendant limited its liability for negligence. In an action for its negligent transmission, *held, inter alia,* contract limitation of liability is a matter of general jurisprudence and the federal courts are not bound by the decisions of the state courts. *Friedlander* v. *Postal-Telegraph Cable Co.* (D. C., N. D., Ohio 1921) 271 Fed. 954.

The Judiciary Act of 1789 provides that "The laws of the several States, . . . shall be regarded as rules of decision . . . in the courts of the United States, . . . " (1789) 1 Stat. 92, U. S. Comp. Stat. (1916) § 1538. But decisions of the state courts on questions of general jurisprudence have uniformly been held not binding upon the federal courts as the law of the state. *Swift* v. *Tyson* (1842) 41 U. S. 1; see (1910) 10 COLUMBIA LAW REV. 242, 243. They are however given such recognition when upon local statutes or questions of local law. *In re Hopper-Morgan Co.* (D. C. 1907) 154 Fed. 249. "Local law" includes: Questions concerning land, *Guffey* v. *Smith* (1915) 237 U. S. 101, 35 Sup. Ct. 526; the interpretation of wills, *Wells* v. *Brown* (C. C. A. 1919) 255 Fed. 852; rules governing chattel mortgages and conditional sales, *DuPont Powder Co.* v. *Jones Bros.* (D. C. 1912) 200 Fed. 638; and in general, local usages of a fixed and permanent operation; see *Swift* v. *Tyson, supra,* 19; or which have become rules of property.